

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:

UNITED STATES OF AMERICA

:

-v.-

:

ORDER OF FORFEITURE  
07 Cr. 472 (DC)

DOROTHY L. SMITH,

:

Defendant.

:

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WHEREAS, on or about May 29, 2007, Dorothy Smith (the "defendant"), among others, was charged in a six-count Indictment 07 Cr. 472 (DC) (the "Indictment") with mail fraud, to wit, the defendant caused Group Health Incorporated on multiple occasions to mail payments to the defendant to reimburse him for surgical procedures which were not performed, in violation of 18 U.S.C. § 1341 and 2 (Counts One through Three); health care fraud in violation of 18 U.S.C. § 1347 and 2 (Counts Four through Six);

WHEREAS, the Indictment included forfeiture allegations seeking, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in the Indictment;

WHEREAS, on or about October 23, 2007, the defendant Dorothy L. Smith pled guilty to Count Five of the Indictment; and

WHEREAS, on or about January 23, 2008, the defendant was sentenced and ordered to a forfeiture money judgment in the amount of \$131,397 in United States Currency, representing the

amount of proceeds obtained as a result of the health care fraud offenses charged in Count Five of the Indictment;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Indictment, for which the defendant pled guilty, a money judgment in the amount of \$131,397 shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, Dorothy L. Smith, at the time of sentencing and shall be made part of the sentence of said defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service", and delivered by mail to the United States Attorney's

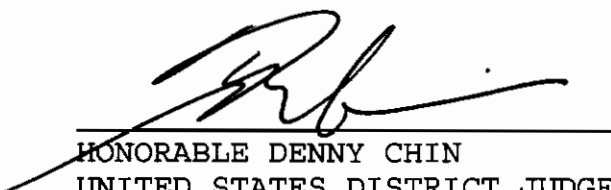
Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

6. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York  
April 29, 2008

SO ORDERED:



HONORABLE DENNY CHIN  
UNITED STATES DISTRICT JUDGE